

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,

and

JENNIFER VILLAFUERTE, AS PARENT
AND NEXT FRIEND OF L.V., AND L.V.,

Intervenors/Plaintiffs,

vs.

EL VALLARTA, LLC, EL VALLARTA III,
LLC, and EL VALLARTA IV, LLC,

Defendants.

8:18-CV-522

MEMORANDUM AND ORDER

This matter is before the Court on the parties' Joint Motion for Entry of Consent Decree ([Filing 98](#)). Defendants ask the Court to adopt, sign, and enter the parties' proposed Consent Decree ([Filing 98-1](#)).

"Consent decrees should: spring from—and serve to resolve—a dispute within the court's subject-matter jurisdiction; come within the general scope of the case from the pleadings; and, further the objectives of the law on which the complaint was based." *E.E.O.C. v. Prod. Fabricators, Inc.*, 666 F.3d 1170, 1172 (8th Cir. 2012) (citing *Local No. 93, Int'l Ass'n of Firefighters, AFL-CIO C.L.C. v. City of Cleveland*, 478 U.S. 501, 525, 106 S. Ct. 3063, 92 L. Ed. 2d 405 (1986)). "When reviewing a proposed consent decree, the trial court is to review the settlement for fairness, reasonableness, and adequacy." *Id.* (quoting *United States v. Metro. St. Louis Sewer Dist. (MSD)*, 952 F.2d 1040, 1044 (8th Cir. 1992)).

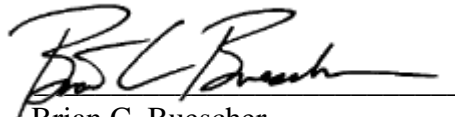
Here, the Court has reviewed the proposed Consent Decree ([Filing 98-1](#)) and finds the Consent Decree to be fair, reasonable, and adequate in its resolution of the allegations raised in the Complaint ([Filing 1](#)) and the Amended Complaint in Intervention ([Filing 83](#)). Thus,

IT IS ORDERED:

1. The parties' Joint Motion for Entry of Consent Decree ([Filing 98](#)) is granted;
2. The Consent Decree, constituting a final judgment for the purposes of [Fed. R. Civ. P. 54](#) and [58](#), will be separately entered on this date; and
3. The Court shall retain jurisdiction of this matter to enforce the terms of the Consent Decree until the terms of the Consent Decree are fulfilled.

Dated this 22nd day of April, 2021.

BY THE COURT:


Brian C. Buescher
United States District Judge